

TETON DISTRICT HEALTH OFFICER

PUBLIC HEALTH ORDER #21-3

**ORDER REQUIRING INDIVIDUALS WITHIN TETON COUNTY, WYOMING TO
WEAR FACE COVERINGS IN CERTAIN PLACES, WITH EXCEPTIONS**

WHEREAS, Dr. Travis Riddell, serves as the Teton District Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Wyoming Statute § 35-1-240(a)(i), (ii), (iii), and (iv) gives the power to the Wyoming Department of Health, through the State Health Officer or under her direction and supervision, or through other employees of the Department of Health to investigate and control the causes or epidemic affecting the public health, and to establish, maintain and enforce isolation and quarantine, and in pursuance thereof, and for such purposes only, to exercise such physical control over property and over the people within this state as the State Health Officer may find necessary for the protection of the public health; and

WHEREAS, as evidenced by her signature below, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer has reviewed and does hereby authorize the issuance of this Order by Dr. Riddell, the Teton District Health Officer, and the State Health Officer, Dr. Harrist, also specifically makes the finding that this Order is necessary for the protection of the public health in Teton County; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to at least 216 countries including the United States.ⁱ There are 425 active cases of COVID-19 in Wyoming as of March 11, 2021, and 84 active cases of COVID-19 in Teton County as of March 11, 2021, as well as the presence of community spread in Wyoming and Teton County. It is expected that more cases will be diagnosed; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic on March 11, 2020ⁱⁱ; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that “in December 2019 a novel (new) coronavirus known as SARS-Co V-2 was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the corona virus disease (COVID-19) that has now spread globally. The spread of COVID-19 within our Nation's communities threatens to strain our Nation's healthcare systems and cause great economic and social disruption. Additional measures are needed to successfully contain and combat the virus in the United States”; and

WHEREAS, on March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, stating that on March 11, 2020, an individual within the State of Wyoming tested presumptive positive for COVID-19; and

WHEREAS, Governor Gordon's Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions

necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare; and

WHEREAS, a significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19 place other vulnerable members of the public at significant risk; and

WHEREAS, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposureⁱⁱⁱ; and

WHEREAS, respiratory droplets from infected individuals are a major mode of SARS-CoV-2 transmission.^{iv} This understanding is the basis of the recommendations for physical distancing, and of the PPE guidance for healthcare workers. Droplets do not only come from coughing or sneezing: in a-/pre-symptomatic individuals, droplets are generated via talking and breathing;^v and

WHEREAS, Face Coverings reduce droplet dispersal and cloth-coverings reduce emission of particles by variable amounts; and

WHEREAS, evidence indicates that wearing Face Covering reduces the transmissibility per contact by reducing transmission of infected droplets; and

WHEREAS, in the most comprehensive, systematic review and meta-analysis of Face Coverings published to date, Chu *et al.* found that Face Coverings could reduce risk of transmission of COVID-19 by an expected 85 percent;^{vi} and

WHEREAS, guidelines published by the U.S. Centers for Disease Control (CDC) on April 3, 2020, recommend that all people wear cloth Face Coverings in public settings where other physical distancing measures may be difficult to maintain. The CDC also advises the use of a simple Face Covering to slow the spread of the virus and help people who may have the virus, and do not know, from transmitting it to others,^{vii} and

WHEREAS, the State of Wyoming has had in place a Statewide Face Covering Order since December 9, 2020. The Statewide Face Covering Order has been continued four (4) times with the latest version of the order set to expire on March 15, 2021. Wyoming State Governor, Mark Gordon, has announced that the Statewide Face Covering Order will not be extended beyond March 15, 2021; and

WHEREAS, Teton County is a tourism destination and the three ski resorts in Teton County are still operating through the middle of April 2021; and

WHEREAS, the Wyoming Department of Health has issued data-driven decision-making metrics to inform public health orders that include the following: Number of reported laboratory-confirmed cases per 100,000 population in the previous 14 days, percent of tests that are positive in the previous 14 days, the presence of COVID-19 outbreaks in communal settings, and the

number of active cases. Reported COVID-19 hospitalizations, reported hospital bed capacity, ICU bed availability, COVID-19 testing volume, testing capacity, PPE supplies, the numbers of reported and active probable cases, and the number of COVID-19 associated deaths will also be considered; and

WHEREAS, as of March 11, 2021, the number of laboratory-confirmed positive cases in Teton County is 3,343 with 3,251 laboratory-confirmed recovered cases. As of March 11, 2021, the number of probable cases in Teton County is 75 with 73 probable recovered cases. There have been 9 COVID-19 associated deaths in Teton County. Thus, there are presently 84 active laboratory-confirmed cases and 1 active probable case in Teton County. With 84 active cases, Teton County has one of the highest number of active cases in Wyoming; and

WHEREAS, as of March 11, 2021, the rate of newly reported laboratory confirmed cases in Teton County over the previous 14 days is 264 cases per 100,000 population; and

WHEREAS, as of March 11, 2021, the percent of tests that are positive over the previous 14 days is 3.3%; and

WHEREAS, the majority of identified B.1.1.7 (variant first identified in U.K.) cases in Wyoming have been detected in Teton County. This variant is known to be more contagious and therefore is an indication for increased need for mitigating measures; and

WHEREAS, the only B.1.351 (variant first identified in South Africa) case in Wyoming was detected in Teton County. In addition to being more contagious, this variant can also evade immunity both from previous infection and potentially from some vaccines; and

WHEREAS, the busiest commercial airport in Wyoming is in Teton County. Therefore, additional new variants and COVID-19 cases in general are more likely to appear here relative to other areas in Wyoming.

NOW, THEREFORE, IT IS HEREBY ORDERED that persons within Teton County, Wyoming, shall wear Face Coverings as described below:

1. "Face Covering," as used in this Order, means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.
2. "Business" means any business entity (retail or commercial) that employs or engages workers or volunteers.
3. Except as specifically exempted below, all members of the public must wear a Face Covering outside their home or other place of residence in the following situations:
 - a. When any person is inside, or in line to enter, any business, or any government facility open to the public, including county and municipal buildings but excluding state and federal buildings; or

- b. When any person is obtaining services at, or visiting healthcare operations, including, but not limited to, hospitals, clinics, and walk-in health facilities, dentists, pharmacies, blood banks, other healthcare facilities, behavioral health providers, and facilities providing veterinary and similar healthcare services for animals; or
 - c. When any person is waiting for or riding on public transportation or paratransit, or while they are riding in a taxi, private car service, shuttle, tour, or ride-sharing vehicle. The driver shall also wear a Face Covering when passengers are in the vehicle.
- 4. All businesses must post notices stating that Face Coverings are required in a clearly visible location at or near the entrance of the business.
- 5. All government facilities open to the public, including county and municipal buildings, but excluding state and federal buildings, must post notices stating that Face Coverings are required in a clearly visible location at or near the entrance of the building.
- 6. All employees, owners, and volunteers of businesses and employees and volunteers of government facilities open to the public, including county and municipal buildings but excluding state and federal buildings, shall wear Face Coverings at their business or government facility when they are within 6 feet of customers, clients, other staff/workers, or volunteers. They must also wear a Face Covering when working or volunteering in a space that could be visited by members of the public, such as by way of example, but not limited to: reception areas, hallways, grocery store aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces that could be used by members of the public.
- 7. A Face Covering is not required under the following circumstances:
 - a. When a person is in a personal office (a single room) where others outside of that person's household are not present as long as the public does not regularly visit the room, but that individual must put on a Face Covering when they are within 6 feet of a client, customer, volunteer, worker, or other member of the public.
 - b. Children who are under 12 years of age. However, children 3 to 11 years of age are encouraged to wear Face Coverings.
 - c. When a person is seated at a table of a restaurant or other food service venue, the person is separated by at least 6 feet from other patrons at other tables, and no more than 10 people in total are seated at the table. If more than 10 individuals are seated at the table, but all individuals are members of the same household, this exception applies. This exception also applies if a person is seated at a booth. However, individuals shall wear a Face Covering while entering, exiting, or otherwise moving about the establishment.

- d. When a person is inside or obtaining services at a location engaged primarily in providing congregate care, residential health care, or shelter care, and the individual is engaged in activities not conducive to wearing a Face Covering, such as eating or drinking, or the individual is in an area of that facility that is not designed for community gathering, such as a sleeping area.
- e. If a person has a medical condition, mental health condition, or disability that prevents him or her from wearing a Face Covering. This includes, by way of example, but is not limited to, persons with a medical condition for whom wearing a Face Covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Covering without assistance. A person is not required to provide any documentation demonstrating that the person cannot wear a Face Covering for any medical condition, mental health condition, or disability.
- f. Individuals who are hearing impaired, or communicating with an individual who is hearing impaired, where the ability to see the mouth is essential for communication.
- g. Individuals for whom wearing a Face Covering would create a risk to the individual related to their work, as determined by local, state, or federal workplace safety guidelines.
- h. Individuals who are obtaining a service involving the nose or face for which temporary removal of the Face Covering is necessary to perform the service.
- i. Individuals who are purchasing a product or receiving a service that requires identification may briefly remove a Face Covering as necessary, so that the retailer or service provider can verify identity.
- j. When engaged in exercise or athletic activities, or artistic performances.
- k. When law enforcement asks an individual to remove a Face Covering for identification purposes.

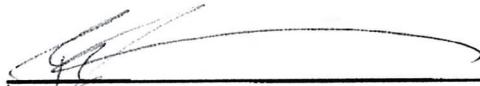
IT IS FURTHER ORDERED that this Order does not alter, but supplements, the current the Statewide Public Health Orders; and

IT IS FURTHER ORDERED that the Teton District Health Officer may grant exceptions to this Order on a case-by-case basis after evaluating the request; and

IT IS FURTHER ORDERED that this Order shall become effective on March 16, 2021 and remain in effect through April 16, 2021, or until such time as the Teton District Health Officer, with the State Health Officer's approval, issues an Order revoking or modifying this Order; and

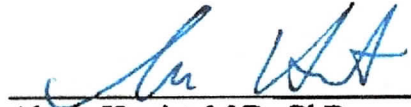
IT IS FURTHER ORDERED that any business or person that violates this Order may be subject to criminal prosecution under Wyoming Statutes §§ 35-1-105 and 35-1-106.

DATED this 12 day of March, 2021.


Travis Riddell, M.D.
Teton District Health Officer

Direction to Issue Order

I, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer, hereby state that I have reviewed the above Order and hereby direct, pursuant to Wyoming Statute §§ 35-1-227 and 35-1-240(a)(i), (ii), (iii), and (iv) the Teton District Health Officer to issue the above Order, in Teton County, Wyoming. As the State Health Officer, I specifically find that this Order is necessary for the protection of public health in Teton County. I will reassess the necessity of this Order as appropriate and in accordance with accepted epidemiological and medical standards.


Alexia Harrist, M.D., PhD
Wyoming State Health Officer

ⁱ World Health Organization. *Coronavirus Disease (COVID-19) Pandemic*. Available:

<https://www.who.int/emergencies/diseases/novel-coronavirus-2019>. (Accessed: 10/30/2020)

ⁱⁱ Wyoming Department of Health Infectious Disease and Epidemiology Unit. *COVID-19 Map and Statistics*. Available: <https://health.wyo.gov/publichealth/infectious-disease-epidemiology-unit/disease-novel-coronavirus-covid-19-map-and-statistics/>. (Accessed: 10/30/2020).

ⁱⁱⁱ United States Center for Disease Control and Prevention. *Coronavirus Disease 2019 (COVID-19): How to Protect Yourself & Others*. Available: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html> (Accessed: 10/30/2020)

^{iv} World Health Organization. 2020 Modes of transmission of virus causing COVID-19: implications for IPC precaution recommendations. Available <http://www.who.int/news-room/commentaries/detail/modes-of-transmission-of-virus-causing-covid-19-implications-for-ipc-precaution-recommendations>. (Accessed: 10/30/2020)

^v Anfinrud P., Stadnytskyi V., Bax CE., Bax A. 2020, *Visualizing Speech-Generated Oral Fluid Droplets with Laser Light Scattering*. New England Journal of Medicine. Available: <https://nejm.org/doi/full/10.1056/nejmc2007800> (Accessed 10/30/2020)

^{vi} Chu DK, AKL EA, Duda S, et al. *Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systemic review and meta-analysis* (published June 1, 2020) Available: [https://doi.org/10.1016/S0140-6736\(20\)31142-9](https://doi.org/10.1016/S0140-6736(20)31142-9) (Accessed: 10/30/2020)

^{vii} United States Center for Disease Control and Prevention. *Coronavirus Disease 2019 (COVID-19): Use of Cloth Face Covering to Help Slow the Spread of COVID-19*. Available: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html> (Accessed: 10/30/2020)